

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

TRACK THREE

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**MOTION TO PRECLUDE TESTIMONY FROM PLAINTIFFS' FACT WITNESSES
ABOUT PRESCRIPTION OPIOIDS BEING A "GATEWAY" TO OTHER DRUG USE**

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION)
OPIATE LITIGATION)
) MDL No. 2804
THIS DOCUMENT RELATES TO:) Case No. 17-md-2804
)
Track Three Cases)

VIDEOTAPED DEPOSITION OF KIMBERLY FRASER
Conducted via Zoom
Painesville, Ohio
Monday, March 8th, 2021

REPORTED BY: GREG S. WEILAND, CSR, RMR, CRR
JOB NO.: 4450197

1 facing.

2 Q. And these presentations are provided by
3 ADAMHS Board staff; is that right?

4 A. That's correct.

5 Q. This isn't something that you contract out
6 to one of your service providers?

7 A. No, we provided those ourselves.

8 Q. Do the presentations discuss other illicit
9 substances besides opioids?

10 A. They discuss other illicit substances, but
11 the biggest impact that we were seeing on our
12 community was this -- the prescription opioid crisis
13 and how it had become a gateway to other substances
14 impacting our community.

15 Q. Can you tell me what the other substance,
16 illicit substances are that are discussed in these
17 presentations?

18 A. The presentation includes information
19 about fentanyl and the fentanyl analogs. Some of
20 the presentations talked about carfentanil. Some of
21 the presentations talked about how fentanyl has been
22 now cut into so many other street drugs, so once a
23 person has that addiction to the prescription opioid
24 and they're needing to meet that need, they may be
25 turning to other drugs on the street to feed that

1 them how they began their opioid use?

2 A. At times, we do. And we certainly hear
3 through the ADAMHS Board, through our provider
4 network, through our Lake County Drug Court, through
5 our children services, through virtually all the
6 members of our Lake County Opiate Task Force, time
7 and time and time again, what we hear is individuals
8 who began with a prescription opioid and were
9 provided, without education, without information,
10 sometimes huge quantities of these prescription
11 opioids. They become addicted, and that becomes the
12 gateway to what is just devastation in their lives,
13 and that's what often leads them to our doorstep.

14 Q. To the extent that individuals report to
15 you that they began their opioid use with
16 prescription opioids, do you ask them how they
17 obtained those prescription opioids?

18 A. There are times when individuals provide
19 us that information. Again, when they're ready,
20 when they come to us and they're in need of
21 treatment, our main and first focus is to help that
22 individual and family engage in a course of
23 treatment and hopefully save their life.

24 Q. Can you recall a specific instance in
25 which one of those individuals informed you that

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VIDEOTAPED RULE 30(b)(6) DEPOSITION OF KIM FRASER
Conducted via Zoom
Painesville, Ohio
Tuesday, March 2nd, 2021

REPORTED BY: GREG S. WEILAND, CSR, RMR, CRR
JOB NO.: 4477967

1 Q. At the bottom of that page is a chart
2 called 2016 Participants Primary Drug of Choice.

3 Do you see that?

4 A. Yes, I do.

5 Q. Do you see that heroin was the drug of
6 choice for 47 percent, 47.01 percent, of the
7 participants in the program?

8 A. Yes, exactly.

9 Q. And do you see that opioid pills, which
10 are defined in the footnote, was the drug of choice
11 of 4.89 percent?

12 Do you see that?

13 A. Yes, I do.

14 Q. Is that an accurate snapshot of the
15 comparative levels of abuse in Lake County in 2016?

16 A. It's an accurate snapshot of those
17 individuals who were arrested, charged, and
18 incarcerated in our Lake County jail and entered
19 into the Jail Treatment Program, exactly what we
20 would expect because, so often, individuals would be
21 prescribed a prescription opioid, they would begin
22 on that.

23 And as we've said, we have heard this from
24 the sheriff's office, we've heard this from Job and
25 Family Services, we've heard this from LCNA, we've

1 heard this from our treatment providers, we've heard
2 this more than anything from family members, that
3 what happens is individuals have this addiction
4 that's been created by the prescription opioids.
5 They either can no longer secure those
6 prescriptions. They can't -- and the addiction
7 hasn't gone away.

8 And so often they then turn to street
9 drugs. And heroin would be -- it's not surprising
10 that that would be the leading drug of choice for
11 those individuals because it's two sides of the same
12 coin. It's the same high that they're going to get
13 from heroin as they already got, as they were
14 getting from the prescription opioid that was handed
15 to them.

16 Q. Ms. Fraser, this report does not discuss
17 in any fashion the original opioid used by
18 participants in the program; is that correct? I'm
19 talking about the report itself.

20 A. This report does not. The people who
21 wrote this report, the clinicians who wrote this
22 report, the judges who referred to the people to
23 this program, out of which came this report, all say
24 the same thing, that this is what is happening with
25 their clients, with the people who are coming before

1 that extent.

2 Q. Has the ADAMHS Board conducted such a
3 study?

4 A. The ADAMHS Board uses data and uses
5 information that we receive from a number of
6 sources. We have not conducted a specific study.

7 Q. Has the County conducted such a study?

8 A. The County has not conducted such a study.

9 If I'm understanding, a study that tells
10 us how many individuals began with a heroin
11 addiction and moved on to other opioids?

12 Q. No. How many people that you thought --
13 if you thought that was my question, then I'll
14 rephrase it.

15 A. I apologize.

16 Q. How many people -- a study, a scientific
17 study, epidemiological study, for example, that had
18 the hypothesis that a large number of heroin abusers
19 or other illicit opioid abusers started with
20 prescription opioids?

21 A. We have not conducted a study. We know it
22 because we talk to the people who are living with
23 these addictions. We talk to the people who are
24 treating individuals. We talk to the people who are
25 incarcerating these individuals. We talk to the

1 families who have lost loved ones. We talk to the
2 foster parents of the children who have been removed
3 from custody because of this.

4 Q. What has been the impact of illicit opioid
5 abuse and addiction on the County, illicit opioid
6 abuse and addiction?

7 A. Okay. I just want to make sure. I want
8 to come back to the topic and make sure I understand
9 which topic we're on, which is, I assume --

10 Q. 3.

11 A. -- Topic 3, the impact of illicit and
12 prescription opioid diversion, abuse, and addiction
13 in the county?

14 Q. Correct.

15 A. Well, the largest impact that we have seen
16 is the loss of life. We know that from 1999 to
17 2014, Ohio's rate of accidental death rose over
18 600 percent. We know that here in Lake County, we
19 saw those numbers increase.

20 We know that in the country, life
21 expectancy of every American in this country has
22 decreased by two months over the last five years
23 because of this epidemic that we're facing. We've
24 never seen that kind of a decrease.

25 So the loss of life is the largest impact